

FISCAL YEAR 2024

MARK UP

PUBLIC DEFENDER

HOUSE BILL 12

102nd General Assembly
First Regular Session

Prepared by Senate Appropriations Committee Staff

OFFICE OF PUBLIC DEFENDER
Section 12.400 – Director’s Office/Legal Services

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Description: The Director’s Office is responsible for centralized administration and coordination of resources, planning functions, fiscal processing, personnel functions, data processing support, conflict case transfers, collection of lien and recoupment monies and other support functions.

Legal Basis: Chapter 600, RSMo.

Funding Source: General Revenue (0101)

FY 2023 GR W/H: \$0

CORE ADJUSTMENTS:

DEPARTMENT:

Core reduction: (\$101,292) GR E&E reduction of one-time funding added in the FY 2023 budget for equipment purchases for non-attorney support staff

GOVERNOR:

Same as Department – no additional core changes

HOUSE:

Core reduction: (\$109,476) & (1.00) FTE (GR \$96,480 PS & \$12,996 E&E) reduction to offset NDI for Government Relations & Public Information Officer

SENATE:

CONFERENCE:

Committee Markup Annual	HB 12 - PUBLIC DEFENDER										Regular House Bills	
	FY 2022 BUDGET		FY 2022 ACTUAL		FY 2023 BUDGET		FY 2024 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
OFFICE OF THE DIRECTOR - 15111C												
CORE												
PERSONAL SERVICES	39,476,166	670.13	36,692,024	624.96	43,030,370	694.13	43,030,370	694.13	43,030,370	694.13	42,933,890	693.13
GENERAL REVENUE	39,476,166	670.13	36,692,024	624.96	43,030,370	694.13	43,030,370	694.13	43,030,370	694.13	42,933,890	693.13
EXPENSE & EQUIPMENT	9,231,969	0.00	12,023,197	0.00	9,459,782	0.00	9,358,490	0.00	9,358,490	0.00	9,345,494	0.00
GENERAL REVENUE	9,231,969	0.00	12,023,197	0.00	9,459,782	0.00	9,358,490	0.00	9,358,490	0.00	9,345,494	0.00
TOTAL	\$48,708,135	670.13	\$48,715,221	624.96	\$52,490,152	694.13	\$52,388,860	694.13	\$52,388,860	694.13	\$52,279,384	693.13

Gov't Relations PI Officer - 1151001												
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	96,480	1.00	0	0.00	96,480	1.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	96,480	1.00	0	0.00	96,480	1.00
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	12,996	0.00	0	0.00	12,996	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	12,996	0.00	0	0.00	12,996	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$109,476	1.00	\$0	0.00	\$109,476	1.00

Missouri State Public Defender seeks funding for a Government Relations and Public Information Officer position. MSPD has historically relied up on the Director to provide budget and legislative information to the legislature and to handle all public information requests. The Director, however, is required by statute to be an attorney with public defense experience, and is not trained as a legislative liaison or as a communications officer. The addition of this position would allow seamless access for the legislature and the community for information regarding MSPD not only during the tenure of any director, but also during times of transition from one director to the next.

House: Core reduced to offset new decision item

Pay Plan - 0000012												
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	0	0.00	3,743,642	0.00	3,743,642	0.00

Committee Markup Annual	HB 12 - PUBLIC DEFENDER										Regular House Bills	
	FY 2022 BUDGET		FY 2022 ACTUAL		FY 2023 BUDGET		FY 2024 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
OFFICE OF THE DIRECTOR - 15111C												
Pay Plan - 0000012												
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	0	0.00	3,743,642	0.00	3,743,642	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	0	0.00	3,743,642	0.00	3,743,642	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$3,743,642	0.00	\$3,743,642	0.00
Mileage Increase - 0000014												
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	219,286	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	219,286	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$219,286	0.00
Amendment 3 Defender Funds - 1151002												
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	0	0.00	639,487	0.00	639,487	0.00
OTHER FUNDS	0	0.00	0	0.00	0	0.00	0	0.00	639,487	0.00	639,487	0.00
PROGRAM-SPECIFIC	0	0.00	0	0.00	0	0.00	0	0.00	639,486	0.00	639,486	0.00

Committee Markup Annual	HB 12 - PUBLIC DEFENDER										Regular House Bills	
	FY 2022		FY 2022		FY 2023		FY 2024		GOV AS		HOUSE	
	BUDGET		ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
OFFICE OF THE DIRECTOR - 15111C												
Amendment 3 Defender Funds - 1151002												
PROGRAM-SPECIFIC	0	0.00	0	0.00	0	0.00	0	0.00	639,486	0.00	639,486	0.00
OTHER FUNDS	0	0.00	0	0.00	0	0.00	0	0.00	639,486	0.00	639,486	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$1,278,973	0.00	\$1,278,973	0.00
Adult use marijuana amendment 3 (2022) provides that one-third of the Veterans, Health, and Community Reinvestment Fund balance remaining after collection, regulation, and expungement costs be transferred to and expended by the Missouri public defender system. Any moneys credited to the Missouri public defender system shall be used only for legal assistance for low-income Missourians, and shall not be diverted to any other purpose.												
TOTAL - OFFICE OF THE DIRECTOR	\$48,708,135	670.13	\$48,715,221	624.96	\$52,490,152	694.13	\$52,498,336	695.13	\$57,411,475	694.13	\$57,630,761	694.13

OFFICE OF PUBLIC DEFENDER

Section 12.400 cont. – Extraordinary Expenses and Conflict Cases

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Description: This section provides funding for three main types of expenses: payments of expenses associated with the defense or violent crimes, litigation expenses exceeding \$500, and expenses of contracting with private counsel in conflict cases.

Legal Basis: Chapter 600, RSMo.

Funding Source: General Revenue (0101)

FY 2023 GR W/H: \$0

CORE ADJUSTMENTS:

DEPARTMENT:

No core changes

GOVERNOR:

No core changes

HOUSE:

No core changes

SENATE:

CONFERENCE:

Committee Markup Annual	HB 12 - PUBLIC DEFENDER										Regular House Bills	
	FY 2022 BUDGET		FY 2022 ACTUAL		FY 2023 BUDGET		FY 2024 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
EXTRAORDINARY EXPENSE/CONFLIC - 15151C												
CORE												
EXPENSE & EQUIPMENT	4,721,071	0.00	4,721,072	0.00	4,721,071	0.00	4,721,071	0.00	4,721,071	0.00	4,721,071	0.00
GENERAL REVENUE	4,721,071	0.00	4,721,072	0.00	4,721,071	0.00	4,721,071	0.00	4,721,071	0.00	4,721,071	0.00
TOTAL	\$4,721,071	0.00	\$4,721,072	0.00	\$4,721,071	0.00	\$4,721,071	0.00	\$4,721,071	0.00	\$4,721,071	0.00
Mileage Increase - 0000014												
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	15,273	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	15,273	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$15,273	0.00
TOTAL - EXTRAORDINARY EXPENSE/CONFLI	\$4,721,071	0.00	\$4,721,072	0.00	\$4,721,071	0.00	\$4,721,071	0.00	\$4,721,071	0.00	\$4,736,344	0.00

OFFICE OF PUBLIC DEFENDER

Section 12.400 cont. – Legal Defense and Defender Fund

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Description: This section includes funding for personal services and expense and equipment requested and recommended from the Legal Defense Fund (funds collected from the indigent).

Legal Basis: Chapter 600, RSMo.

Funding Source: Legal Defense and Defender Fund (0670)

FY 2023 GR W/H: N/A

CORE ADJUSTMENTS:

DEPARTMENT:

Core reallocation within: \pm \$37,418 Other Funds PSD reallocated to E&E within section to align budget with planned expenditures

GOVERNOR:

Same as Department – no additional core changes

HOUSE:

Same as Department – no additional core changes

SENATE:

CONFERENCE:

Committee Markup Annual	HB 12 - PUBLIC DEFENDER										Regular House Bills	
	FY 2022 BUDGET		FY 2022 ACTUAL		FY 2023 BUDGET		FY 2024 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
LEGAL DEFENSE & DEFENDER FUND - 15141C												
CORE												
PERSONAL SERVICES	142,353	2.00	142,352	2.01	151,670	2.00	151,670	2.00	151,670	2.00	151,670	2.00
OTHER FUNDS	142,353	2.00	142,352	2.01	151,670	2.00	151,670	2.00	151,670	2.00	151,670	2.00
EXPENSE & EQUIPMENT	2,456,256	0.00	1,342,220	0.00	3,205,088	0.00	3,242,506	0.00	3,242,506	0.00	3,242,506	0.00
OTHER FUNDS	2,456,256	0.00	1,342,220	0.00	3,205,088	0.00	3,242,506	0.00	3,242,506	0.00	3,242,506	0.00
PROGRAM-SPECIFIC	150,000	0.00	56,426	0.00	162,418	0.00	125,000	0.00	125,000	0.00	125,000	0.00
OTHER FUNDS	150,000	0.00	56,426	0.00	162,418	0.00	125,000	0.00	125,000	0.00	125,000	0.00
TOTAL	\$2,748,609	2.00	\$1,540,998	2.01	\$3,519,176	2.00	\$3,519,176	2.00	\$3,519,176	2.00	\$3,519,176	2.00
Pay Plan - 0000012												
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	0	0.00	13,195	0.00	13,195	0.00
OTHER FUNDS	0	0.00	0	0.00	0	0.00	0	0.00	13,195	0.00	13,195	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$13,195	0.00	\$13,195	0.00

Committee Markup Annual	HB 12 - PUBLIC DEFENDER										Regular House Bills	
	FY 2022 BUDGET		FY 2022 ACTUAL		FY 2023 BUDGET		FY 2024 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
LEGAL DEFENSE & DEFENDER FUND - 15141C												
Mileage Increase - 0000014												
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	17,772	0.00
OTHER FUNDS	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	17,772	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$17,772	0.00
TOTAL - LEGAL DEFENSE & DEFENDER FUN	\$2,748,609	2.00	\$1,540,998	2.01	\$3,519,176	2.00	\$3,519,176	2.00	\$3,532,371	2.00	\$3,550,143	2.00

OFFICE OF PUBLIC DEFENDER
Section 12.400 cont. – Debt Offset Escrow

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Description: This section authorizes State Public Defender to intercept Missouri State Income Tax refund checks due to individuals who owe the Missouri State Public Defender System monies for representation.

Legal Basis: Chapter 600, RSMo.

Funding Source: Debt Offset Escrow Fund (0753)

FY 2023 GR W/H: N/A

CORE ADJUSTMENTS:

DEPARTMENT:

No core changes

GOVERNOR:

No core changes

HOUSE:

No core changes

SENATE:

CONFERENCE:

Committee Markup Annual	HB 12 - PUBLIC DEFENDER										Regular House Bills	
	FY 2022		FY 2022		FY 2023		FY 2024		GOV AS		HOUSE	
	BUDGET		ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
DEBT OFFSET ESCROW FUND - 15161C												
CORE												
FUND TRANSFERS	1,700,000	0.00	1,700,000	0.00	2,450,000	0.00	2,450,000	0.00	2,450,000	0.00	2,450,000	0.00
OTHER FUNDS	1,700,000	0.00	1,700,000	0.00	2,450,000	0.00	2,450,000	0.00	2,450,000	0.00	2,450,000	0.00
TOTAL	\$1,700,000	0.00	\$1,700,000	0.00	\$2,450,000	0.00	\$2,450,000	0.00	\$2,450,000	0.00	\$2,450,000	0.00
TOTAL - DEBT OFFSET ESCROW FUND	\$1,700,000	0.00	\$1,700,000	0.00	\$2,450,000	0.00	\$2,450,000	0.00	\$2,450,000	0.00	\$2,450,000	0.00

OFFICE OF PUBLIC DEFENDER

Section 12.400 cont. – Grants

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Description: This section provides appropriation authority if grants are received from the federal government.
Legal Basis: Chapter 600, RSMo.
Funding Source: Federal Funds (0112)
FY 2023 GR W/H: N/A

CORE ADJUSTMENTS:

DEPARTMENT:

No core changes

GOVERNOR:

No core changes

HOUSE:

No core changes

SENATE:

CONFERENCE:

Committee Markup Annual	HB 12 - PUBLIC DEFENDER											Regular House Bills	
	FY 2022		FY 2022		FY 2023		FY 2024		GOV AS		HOUSE		
	BUDGET		ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
HOUSE BILL SECTION 12.400													
GRANTS - 15131C													
CORE													
EXPENSE & EQUIPMENT	0	0.00	0	0.00	500,000	0.00	500,000	0.00	500,000	0.00	500,000	0.00	
FEDERAL FUNDS	0	0.00	0	0.00	500,000	0.00	500,000	0.00	500,000	0.00	500,000	0.00	
PROGRAM-SPECIFIC	625,000	0.00	0	0.00	625,000	0.00	625,000	0.00	625,000	0.00	625,000	0.00	
FEDERAL FUNDS	625,000	0.00	0	0.00	625,000	0.00	625,000	0.00	625,000	0.00	625,000	0.00	
TOTAL	\$625,000	0.00	\$0	0.00	\$1,125,000	0.00	\$1,125,000	0.00	\$1,125,000	0.00	\$1,125,000	0.00	
TOTAL - GRANTS	\$625,000	0.00	\$0	0.00	\$1,125,000	0.00	\$1,125,000	0.00	\$1,125,000	0.00	\$1,125,000	0.00	

OFFICE OF PUBLIC DEFENDER

Pay Plan

Description: The FY 2022 Early Supplemental budget included appropriation authority for three pay plan components and their associated fringe benefits: 5.5% pay increase for employees, \$15/hr. state employee baseline wage adjustment and compression adjustments between positions.
Legal Basis: HB 3014 – Early Supplemental Budget Bill (2022)
Funding Source: Various
FY 2023 GR W/H: N/A

This section is not needed because appropriation authority was placed in the appropriate sections in the FY 2023 budget.

Committee Markup Annual	HB 12 - PUBLIC DEFENDER											Regular House Bills	
	FY 2022		FY 2022		FY 2023		FY 2024		GOV AS		HOUSE		
	BUDGET		ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
HOUSE BILL SECTION 12.400													
PUBLIC DEFENDER PS - 15116C													
CORE													
PERSONAL SERVICES	920,848	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
GENERAL REVENUE	917,553	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
OTHER FUNDS	3,295	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	
TOTAL	\$920,848	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	
TOTAL - PUBLIC DEFENDER PS	\$920,848	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	